

REMARKS

In the Final Office Action ("FOA"), the Examiner rejected claims 1-8 under U.S.C. § 102(e) as being anticipated by Smith, Jr. ("Smith"), U.S. Patent No. 6,836,667 B1. Also, the Examiner rejected claim 7 under U.S.C. § 112, second paragraph. Claim 7 has been amended.

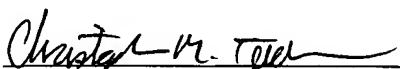
Smith does not anticipate claimed invention as recited in claims 1-8. According to MPEP § 2131, "[a] claim is anticipated only if each and every element as set forth in the claim is found, either expressly or inherently described, in a single prior art reference." *Verdegaal Bros. v. Union Oil Co. of California*, 814 F.2d 628, 631, 2 USPQ2d 1051, 1053 (Fed. Cir. 1987)."

With regard to claim 1, Smith does not teach or motivate the limitation "said device enabled to be set to a specific area of granularity within said provider network." According to Smith, at lines 8-15 of column 5, the message server database 540 is enabled to select different thresholds for triggering retrieval of information. This differs from the claimed invention wherein the device is enabled to set to a specific level of granularity. Claim 8 recites a similar limitation.

Since Smith does not anticipate claim 1, and by virtue of their dependency, Smith cannot anticipate claims 2-7.

Applicant submits that the present claims are in condition for allowance and request entry of this amendment, reconsideration and allowance of the pending claims.

Respectfully submitted,


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